N Y Daily News

Lawyers Weigh JFK 'Plot' & Find It Wanting

By ANTHONY BURTON

The American Trial Lawyers Association yesterday achieved a new breakthrough in jurisprudence. Members delivered verdicts on a criminal case that still has not come to trial.

Without waiting for the pending trial of Clay Shaw, a panel of attorneys discussed the merits of New Orleans District Attorney Jim Garrison's charge that President Kennedy was the victim of a conspiracy.

At a press conference at the Waldorf Astoria, association officials suggested that reporters ask their panel of top criminal lawyers for their opinions of the Garrison investigation.

Ruby Lawyer's View

Joe Tonahill, the Texas lawyer who helped defend Jack Ruby, first:

"Garrison's case is basically grounded in political expediency. He is dealing with Warren Commission rejects, witnesses that the government knows all about and has rejected.

"I am calling this a phony investigation"

Referring to Shaw's preliminary hearing, which Tonahill did not attend, the Texan said that Garrison's use of hypnosis on witnesses was "as fraudulent as you can get."

He said a hypnotist could plant the seed of an idea in the head of a prospective witness, and the seed would then bear fruit as testimony in court.

The association national chairman, Verne Lawyer, agreed with Tonahill.

Garrison's star witness, Perry Russo, testified to the conspiracy after undergoing hypnosis and taking sodium pentathol.

The lawyers looked embarrassed when asked if they were not guilty of pre-judging the merits of the Garrison case. Some agreed that there was a canon of ethics forbidding such public discussions.

District Attorney Garrison
His case is tried

Said Tonahill: "Well, everybody's discussing it."

He told reporters he did not believe Lee Harvey Oswald would have been convicted if he had faced trial. "Under Texas law, a man's wife may not give evidence against him," he said.

"Marina Oswald was the source of most of the damaging evidence against Oswald . . .

"Without her, the state would have been left with its hands tied and nothing but documenary evidence.

"The Warren Commission might have concluded he was guilty but he would have gone free." Tonahill called the commission's work the greatest investigation the world has ever seen.